

14974. Adulteration of frozen round whiting. U. S. v. 1,525 Pounds * * *.

(F. D. C. No. 27026. Sample No. 11302-K.)

LIBEL FILED: April 20, 1949, District of New Jersey.**ALLEGED SHIPMENT:** On or about June 17, 1948, by Helfrich & Gregory, Inc., from New York, N. Y.**PRODUCT:** 1,525 pounds of frozen round whiting at Bradley Beach, N. J.**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.**DISPOSITION:** May 31, 1949. Default decree of condemnation and destruction.**FRUITS AND VEGETABLES****CANNED FRUIT****14975. Misbranding of canned cherries. U. S. v. 44 Cases * * *. (F. D. C. No. 26997. Sample No. 37988-K.)****LIBEL FILED:** April 12, 1949, District of Massachusetts.**ALLEGED SHIPMENT:** On or about March 22, 1949, by the D & D Foods Co., from Wenatchee, Wash.**PRODUCT:** 44 cases, each containing 24 1-pound jars, of cherries at Cambridge, Mass.**LABEL, IN PART:** (Jar) "Dawn Hour Brand Light Sweet Cherries In Extra Heavy Syrup."**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the product was canned cherries, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional packing medium present since its label bore the statement "In Extra Heavy Syrup," whereas the product was packed in sirup designated as "Heavy Syrup" in the standard.**DISPOSITION:** May 11, 1949. James H. McInerney Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the product be released under bond, to be relabeled under the supervision of the Federal Security Agency.**14976. Misbranding of canned cherries. U. S. v. 59 Cases * * *. (F. D. C. No. 27028. Sample No. 50135-K.)****LIBEL FILED:** May 16, 1949, Eastern District of Pennsylvania.**ALLEGED SHIPMENT:** On or about April 1, 1949, by the Paulus Bros. Packing Co., from Salem, Oreg.**PRODUCT:** 59 cases, each containing 48 8½-ounce cans, of cherries at Philadelphia, Pa.**LABEL, IN PART:** (Can) "Norris Royal Anne Cherries."**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned cherries, a food for which a definition and standard of identity has been prescribed, and its label failed to bear, as required by the regulations, the name of the optional cherry ingredient present, i. e., "light sweet"; and its label failed also to bear the name of the optional packing medium present, i. e., "extra heavy syrup."

DISPOSITION: May 26, 1949. Schuylkill Valley Grocery Co., Inc., Norristown, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the product be released under bond, to be relabeled under the supervision of the Food and Drug Administration.

DRIED FRUIT

14977. Adulteration of dried apple chops. U. S. v. 750 Cases * * *. (F. D. C. No. 27048. Sample No. 42130-K.)

LIBEL FILED: April 21, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 28, 1949, by the Valley Evaporating Co., from Yakima, Wash.

PRODUCT: 750 40-pound cases of dried apple chops at Chicago, Ill.

LABEL, IN PART: "Dried Apple Chops."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted of whole or in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 13, 1949. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

14978. Adulteration of dried apples. U. S. v. 20 Cases * * *. (F. D. C. No. 26945. Sample No. 1721-K.)

LIBEL FILED: On or about April 8, 1949, Northern District of Georgia.

ALLEGED SHIPMENT: On or about January 25, 1949, by the Valley Evaporating Co., from Cowiche, Wash.

PRODUCT: 20 25-pound cases of dried apples at Atlanta, Ga.

LABEL, IN PART: "Southern Special Washington Evaporated Apples."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 16, 1949. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

14979. Adulteration of dried peaches. U. S. v. 50 Boxes * * * (and 1 other seizure action). (F. D. C. Nos. 26976, 26984. Sample Nos. 1389-K. 1390-K.)

LIBELS FILED: April 6, 1949, Western District of South Carolina.

ALLEGED SHIPMENT: On or about January 21, 1949, by Hunt Foods, Inc., Guggenheim Div., San Jose, Calif.

PRODUCT: 89 boxes, each containing 30 pounds, of dried peaches at Greenville, S. C.

LABEL, IN PART: "California Dried Peaches Phoenix Packing Company, San Francisco, Cal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects; and, in addition, a portion of the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed peaches.